

## REMARKS

Claims 1, 2, 4 and 5 have been cancelled without prejudice and Claim 13 has been added.

The remaining Claims have been amended in an manner to overcome the Examiner's rejection under 35 U.S.C. §112.

Applicant and Applicant's undersigned attorney wish to thank the Examiner for the courtesy and assistance extended during several telephone conferences regarding the above-identified application. The Declaration (Exhibit "A") presented herein together with the supporting documents (Exhibits "1" and "2") are believed to eliminate some of the prior art patents and publications cited against Claim 3, and the remaining Claims which depend from Claim 3 and thus these claims are believed to be allowable.

The following summarizes briefly the discussions with the Examiner.

Earl Grim, the inventor completed his invention above-identified in 1998 as evidenced by the Disclosure prepared by him dated February, 1998 (Exhibit "1"). This disclosure formed the basis for filing a provisional patent application on June 1, 1999, a copy of which is attached to the Grim Declaration as Exhibit "2".

These documents clearly show completion of the **GRIM INVENTION** prior to the filing date of Hueber, US 2002/0016214A1 of September 2, 1999. They likewise predate by a large margin the filing date of September 2, 2001 for the Toulon et al. Publication No., US 2002/0119828A1. It is also believed that the early documents support a completion of the **GRIM INVENTION** prior to the January 28, 1999 filing date of the Hasebe et al. United States Patent No. 6,254,494B1.

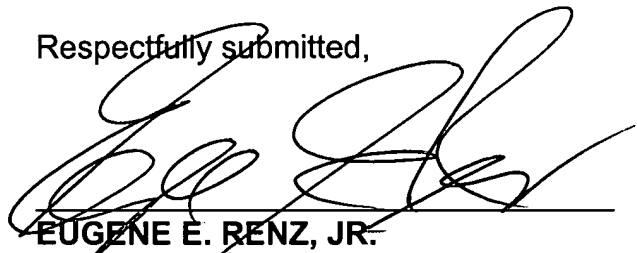
Claim 3 is presently rejected by the Examiner on the basis of the Masghati et al. United States Patent No.: 4,471,961 in view of Hueber and Toulon et al. Publication No.,

US 2002/0119828A1 or Hasebe et al. United States Patent No. 6,254,494B1. It is believed that Hueber, Toulon and Hasebe are not effective references against this case and therefore allowance of Claim 3 and those claims which depend therefrom is respectfully solicited.

It is believed that the application is in condition for allowance. If, however, there are additional matters which require attention, Applicants' attorney respectfully request the Examiner to contact him via telephone in thereby expedite prosecution of this case.

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Respectfully submitted,



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